

REMARKS

The application has been amended and is believed to be in condition for allowance. The present amendment is part of a Request for Continued Examination (RCE).

Claims 1-4 and 21-22 remain in this application. Claims 4-5, 11-18 and 23-27 have been canceled.

New dependent claims 28-36 are based on claim 4. New claim 37 is based on claim 37, and claims 38-40 depend from claim 37 based on claim 4. Dependent claim 41 is based on claim 1.

The Official Action rejected claims 1, 3, 5, 11-12, 18 and 21-27 under 35 U.S.C. 103(a) as being unpatentable over Great Britain Patent 931,710 (GB '710) in view of TANAKA (6,554,286).

The Official Action rejected claims 1-3, 5, 11, 12, 17, 18 and 21-27 under 35 U.S.C. 103(a) as being unpatentable over KAWAGUCHI (5,286,039) in view of GB '710.

The Official Action rejected claims 4, 13, 14, and 16, under 35 U.S.C. 103(a) as being unpatentable over GB '710 in view of TANAKA and further in view of SAKAI (4,810,591).

The Official Action rejected claims 4 and 13-16 under 35 U.S.C. 103(a) as being unpatentable over KAWAGUCHI in view of GB '710 and further in view of SAKAI (4,810,591).

The rejections are respectfully traversed for at least the reasons that follow.

It is firstly noted that claims 1 and 3 have been amended as stated above to incorporate the recitations of claim 5.

Claim 1, as amended, requires a distribution of an amount of a step of said hard metal-plated layer relevant to said plurality of cylinder holes corresponds to a distribution of rigidity of said internal combustion engine relevant to said plurality of cylinder bores (emphasis added). A total thickness of the steps of the hard metal-plates layer tighten the annular beads with a surface pressure higher than that for the outer peripheral bead, thereby to attain high gas sealing performance, not only to balance the surface pressures between the annular beads and outer peripheral beads, but also between the plurality of annular beads. The present invention achieves this balance of surface pressures among the plurality of annular beads according to the distribution of rigidity of the engine relevant to positions of the engine cylinder bores.

None of the cited references teach this feature.

The Official Action, with respect to claim 5, stated that GB '710 discloses the size and height of the beads can be selected according to application, referring to page 2, lines 57-65.

GB '710 offers broadly that the materials of the gasket layers, and the size, shape, height, and number of corrugations of the gasket can vary according to the joint to which the gasket

is to be applied, depending further upon surface finish, or stable or unstable faces due to factors including lack of support, pulsation, uneven bolt stresses, stresses through change of temperature and pressure, etc. (page 2, lines 57-68).

This disclosure, however, teaches nothing relating a distribution of an amount of a step of said hard metal-plated layer, corresponding to the distribution of rigidity of the engine relevant to the cylinder bores, as required by amended claim 1. GB '710 does not teach or suggest either the same problem or the same solution of the claim.

On the contrary, GB '710 discloses that corrugations, in particular, may be increased around each aperture, and further added "not for sealing purposes only but to prevent distortions of the mating faces due to a cantilever effect or the like," (page 2, lines 69-76).

At best, GB '710 teaches that a thickness of the gasket may relate to the machine finish of the mating faces of the joint, (page 2, lines 92-97). There is no other teaching in GB '710 correlating the thickness of the gasket or of a layer of the gasket to a structural characteristic of the engine.

In contrast, amended claim 1 requires that a distribution of an amount of a step of the hard metal-plated layer relevant to a plurality of cylinder holes corresponds to a distribution of rigidity of the internal combustion engine

relevant to a plurality of cylinder bores. Neither GB '710 nor any of the other references teach or suggest this requirement.

It is therefore respectfully submitted that claim 1 is novel and non-obvious over the references applied in the June 23, 2008 Official Action. Accordingly, it is respectfully submitted that claim 1 is patentable. Reconsideration and allowance are respectfully requested.

It is respectfully submitted that claims depending from claim 1 are patentable at least for depending from a patentable claim.

It is also respectfully submitted that independent claims 3 and 37 are patentable over the cited references at least for the same reasons as those set forth above as to claim 1. Reconsideration and allowance are respectfully requested.

From the foregoing, it will be apparent that applicants have fully responded to the June 23, 2008 Official Action and that the claims as presented are patentable. In view of this, applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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